

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Somnath Banik, *et al.*

Serial No.: 09/514,489

Filed: February 29, 2000

For: SYSTEM AND METHOD FOR COMMUNICATING DATA
OVER A RADIO FREQUENCY VOICE CHANNEL

Grp./A.U.: 2684

Examiner: Tu X. Nguyen

Confirmation No.: 2128

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Mail Stop Appeal Brief-Patents

I hereby certify that this correspondence is being electronically filed
with United States Patent and trademark Office on:

February 27, 2009 (Date)

Debbie Sams

(Printed or typed name of person signing the certificate)

/Debbie Sams/

(Signature of the person signing the certificate)

ATTENTION: Board of Patent Appeals and Interferences

Sirs:

APPELLANTS' SUPPLEMENTAL REPLY BRIEF UNDER 37 C.F.R. §41.41

In response to the Examiner's Answer electronically delivered February 20, 2009, the Appellants submit this Reply Brief in compliance with 37 C.F.R. §41.41. This reply is being submitted to ensure that the Board of Appeals and Interferences will have the opportunity to review the arguments previously presented in the Reply Brief submitted October 9, 2006.

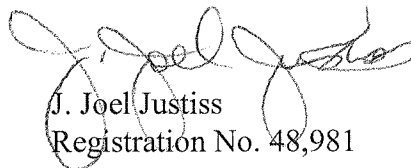
REMARKS

In the Examiner's Answer electronically delivered February 20, 2009, the Examiner corrected Section 8 to include a listing of the references relied upon. Since no other changes were made to the original Examiner's Answer mailed August 9, 2006, the Appellants rely on the Reply Brief submitted October 9, 2006.

For a variety of reasons, including but not necessarily limited to those which are identified in the Appellants' prior responses, including those reasons set forth in the Reply Brief of October 6, 2006, the Claims are patentably nonobvious over Kato in view of Kim. Accordingly, the Appellants respectfully request that the Board of Patent Appeals and Interferences reverse the Examiner's Final Rejection of all of the Appellants' pending claims.

Respectfully submitted,

HITT GAINES, P.C.



J. Joel Justiss
Registration No. 48,981

Dated February 27, 2009

Hitt Gaines, P.C.
P.O. Box 832570
Richardson, Texas 75083-2570
(972) 480-8800
(972) 480-8865 (Fax)
joel.justiss@hittgaines.com